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\*\*E-filed 10/27/05\*\*

Attorneys for Defendants  
CITY OF SAN JOSE, HAPPY HOLLOW PARK & ZOO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TERI SMITH,

Plaintiff,

vs.

HAPPY HOLLOW PARK & ZOO; HAPPY  
HOLLOW CORPORATION; CITY OF  
SAN JOSE; and DOES 1-25

Defendants.

NO. C04 01178 JF

**STIPULATION TO CONTINUE CASE  
MANAGEMENT CONFERENCE AND  
ORDER THEREON**

Plaintiff Teri Smith and Defendants Happy Hollow Park & Zoo and City of San Jose,  
by and through their attorneys of record, hereby stipulate that the September 9, 2005  
Further Case Management Conference in this matter be rescheduled to **December 16,**  
**2005 at 10:30 a.m.** Good cause exists for this extension in that:

- 1) The parties participated in a productive settlement conference on August 29,  
2005 before Magistrate Patricia V. Trumbull;
- 2) Given the number of alleged violations of the Americans with Disabilities Act  
and related statutes Plaintiff has identified at the City of San Jose's Happy  
Hollow Park & Zoo and the sheer size of that facility, the parties will require

1 additional time to propose and consider necessary conditions to the  
2 settlement; and

- 3 3) A later Case Management Conference will be more productive once the  
4 parties have actually completed their further settlement discussions.

5 Dated: October 27, 2005

RICHARD DOYLE, City Attorney

6  
7 BY: /s/ Brian C. Hopper

8 BRIAN C. HOPPER  
9 Deputy City Attorney

10 Attorneys for Defendants  
11 CITY OF SAN JOSE, HAPPY HOLLOW  
PARK & ZOO

12 Dated: October 27, 2005

THIMESCH LAW OFFICES

13  
14 By: /s/ Timothy Timesch

15 TIMOTHY TIMESCH, ESQ.  
16 Attorneys for Plaintiff  
17 TERI SMITH

18 I attest that Plaintiff has approved and signed this document, and given consent to  
19 the filing of the same with the court.  
20

21 Dated: October 27, 2005

RICHARD DOYLE, City Attorney

22  
23 BY: /s/ Brian C. Hopper

24 BRIAN C. HOPPER  
25 Deputy City Attorney

26 Attorneys for Defendants  
27 CITY OF SAN JOSE, HAPPY HOLLOW  
28 PARK & ZOO

**ORDER**

Pursuant to the stipulation by the parties hereto and good cause appearing therefor, the October 28, 2005 Further Case Management Conference is hereby rescheduled to 10:30 a.m. on December 16, 2005.

Dated: 10/27/05

/s/electronic signature authorized  
JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE